

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF PENNSYLVANIA**

BLAIR DOUGLASS, on behalf of himself and all similarly situated individuals,

Plaintiff,

v.

OPTAVIA LLC,

Defendant.

Civil Action No. 2:22-cv-00594

**ORDER GRANTING PLAINTIFF'S MOTION FOR
ATTORNEYS' FEES AND INCENTIVE AWARD**

Pending before the Court is Plaintiff's Motion for Attorneys' Fees and Incentive Award.

On January 23, 2023, the Court certified the following Settlement Class:¹

[A]ll Blind or Visually Disabled individuals who use screen reader auxiliary aids to navigate digital content and who have accessed, attempted to access, or been deterred from attempting to access, or who may access, attempt to access, or be deterred from attempting to access the Website from the United States.

ECF No. 38. The Court also granted final approval to the proposed class action settlement set forth in the Agreement. *Id.*

Having carefully considered the pending motion and all accompanying papers, the relevant legal authority, and the Agreement, the Court **GRANTS** Plaintiff's Motion for Attorneys' Fees and Incentive Award as set forth below.

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

¹ Unless otherwise defined herein, all capitalized terms shall have the meanings set forth in the Agreement, which is available at Doc. 12-1.

1. The hourly rate of \$575 for work performed in 2021, and the hourly rate of \$600 for work performed in 2022, by attorneys Kevin Tucker and Kevin Abramowicz is approved as fair and reasonable.

2. The hourly rate of \$350 for work performed in 2021, and the hourly rate of \$400 for work performed in 2022, by attorneys Stephanie Moore and Chandler Steiger is approved as fair and reasonable.

3. Pursuant to Fed. R. Civ. P. 23, the Court hereby awards Class Counsel for the Settlement Class attorneys' fees in the amounts provided below:

a. \$45,000.00, payable pursuant to the terms of the Agreement, for attorneys' fees incurred through the Agreement Term;

b. \$15,000.00, payable pursuant to the terms of the Agreement, for attorneys' fees incurred during the First Extended Agreement Term, if applicable; and

c. \$15,000.00, payable pursuant to the terms of the Agreement, for attorneys' fees incurred during the Second Extended Agreement Term, if applicable.

4. The Court finds the award of fees is reasonable as: (a) Class Counsel achieved a favorable result for the Settlement Class; (b) Class Counsel devoted substantial effort to the investigation of Plaintiff's claims, legal analysis, and litigation; (c) Class Counsel prosecuted the Settlement Class's claims with no guarantee Class Counsel would receive compensation for their services or recover their expenses; (d) Class Counsel employed their knowledge of and experience with class action litigation in achieving a valuable settlement for the Settlement Class, in spite of Defendant's possible legal defenses and its experienced and capable counsel; and (e) the notice informed Settlement Class Members of the amount and nature of Class Counsel's fee request.

5. The Court further approves an incentive award in the amount of \$1,000.00 to Plaintiff, payable pursuant to the terms of the Agreement.

SO ORDERED this 23rd day of January, 2023.

BY THE COURT:

/s/ Christy Criswell Wiegand
CHRISTY CRISWELL WIEGAND
United States District Judge

cc (via ECF email notification):
All Counsel of Record